

**DEPARTMENT OF WATER RESOURCES**

1416 NINTH STREET, P.O. BOX 942836  
SACRAMENTO, CA 94236-0001  
(916) 653-5791



September 23, 2015

Mr. Tom Howard  
Executive Director  
State Water Resources Control Board  
1001 I Street  
Sacramento, California 95814

Dear Mr. Howard:

Pursuant to Section 401 of the Clean Water Act, the California Department of Water Resources (DWR) submits the attached application to the State Water Resources Control Board (State Water Board) for a Water Quality Certification for the State's California WaterFix program. Construction of the proposed California WaterFix would involve the discharge of dredged or fill material into waters of the United States and thus requires a permit from the US Army Corps of Engineers (USACE), pursuant to Section 404 of the Clean Water Act. The permit under Section 404 may not, however, be issued without obtaining certification from the state that the discharge is consistent with the applicable water quality standards. Therefore, DWR, as the project applicant for the permit under Section 404, is requesting this Section 401 water quality certification from the State Water Board consistent with the USACE's permit requirements.

On August 26, 2015 DWR and the U.S. Bureau of Reclamation submitted a petition for a change to the water rights necessary to allow for the implementation of key components of the California WaterFix Project. DWR appreciates the potential complexities associated with the State Water Board's hearing process for the change petition and we therefore request that the State Water Board consider the California WaterFix application for 401 certification in a process separate from consideration of the change petition.

DWR looks forward to working with the State Water Board in its consideration of the Section 401 water quality certification. If you have any questions regarding the accompanying permit application, please contact Michael Bradbury, California WaterFix Permit Manager, at 916-651-2987 or [mike.bradbury@water.ca.gov](mailto:mike.bradbury@water.ca.gov).

Sincerely,

A handwritten signature in black ink, appearing to read "Mark W. Cowin".

Mark W. Cowin  
Director